

UNITED STATES DISTRICT COURT

United States Courts
Southern District of Texas

for the

Southern District of Texas

FILED

September 13, 2023

Nathan Ochsner, Clerk of Court

In the Matter of the Search of

(Briefly describe the property to be searched
or identify the person by name and address)United States Postal Service Priority Mail Express
Parcel: EJ 756 312 459 US

}

Case No. 4:23-mj-1869

APPLICATION FOR A WARRANT BY TELEPHONE OR OTHER RELIABLE ELECTRONIC MEANS

I, a federal law enforcement officer or an attorney for the government, request a search warrant and state under penalty of perjury that I have reason to believe that on the following person or property (identify the person or describe the property to be searched and give its location):

United States Postal Service Priority Mail Express Parcel: EJ 756 312 459 US currently located at 4600 Aldine Bender Rd., Houston, TX 77315

located in the Southern District of Texas, there is now concealed (identify the person or describe the property to be seized):

Controlled substances and/or proceeds

The basis for the search under Fed. R. Crim. P. 41(c) is (check one or more):

- evidence of a crime;
- contraband, fruits of crime, or other items illegally possessed;
- property designed for use, intended for use, or used in committing a crime;
- a person to be arrested or a person who is unlawfully restrained.

The search is related to a violation of:

Code Section
21 USC 841(a)(1)
21 USC 846

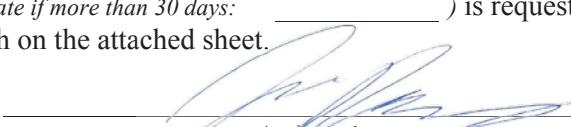
Offense Description
Distribution of a controlled substance
Conspiracy

The application is based on these facts:

(See Attached Affidavit)

Continued on the attached sheet.

Delayed notice of _____ days (give exact ending date if more than 30 days: _____) is requested under 18 U.S.C. § 3103a, the basis of which is set forth on the attached sheet.



Applicant's signature

Jonathan Ramirez U.S. Postal Inspector

Printed name and title

Attested to by the applicant in accordance with the requirements of Fed. R. Crim. P. 4.1 by
Telephone _____ (specify reliable electronic means).

Date: September 13, 2023



Judge's signature

City and state: Houston, Texas

Peter Bray, United States Magistrate Judge

Printed name and title

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION

In the Matter of the Search of:

§ Case No. 4:23-mj-1869

United States Postal Service Priority Mail
Express Parcel: EJ 756 312 459 US

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AFFIDAVIT IN SUPPORT OF SEARCH WARRANT

I, Jonathan Ramirez, being duly sworn, state the following:

1. I am a Postal Inspector with the United States Postal Inspection Service (“USPIS”) and have been so employed since June 2017. Prior to becoming a Postal Inspector, I served as a law enforcement Deputy with both the Orange County Sheriff’s Office and the Pasadena Police Department for a total of approximately five years. As part of my training as a Postal Inspector, I completed a 12-week training course in Potomac, Maryland, which included training in the investigation of drug trafficking using the mail. I am currently assigned to the USPIS Houston, Contraband Interdictions & Investigations team. I was previously assigned to USPIS Los Angeles Division Contraband Interdiction and Investigations team which had a Parcel Task Force, which was comprised of Postal Inspectors and Los Angeles Police Department (“LAPD”) Officers and detectives. The Parcel Task Force was responsible for investigating the trafficking of drugs through the United States Mail. I have also completed a 40-hour LAPD narcotics school training course.

2. I make this affidavit in support of a warrant pursuant to Rule 41 to search a package, further described in paragraph 9, to seize the things described in Attachment A.

3. Since June 2017, I have participated in multiple investigations into violations of the Controlled Substances Act involving the United States Postal Service (“USPS”) and discussed

my investigations with other experienced law enforcement officers. For these reasons, I am familiar with how drug traffickers use the mail to facilitate their trafficking.

4. The facts set forth in this affidavit are based upon my personal observations, my training and experience, and information obtained from various law enforcement personnel and witnesses. This affidavit is intended to show merely that there is sufficient probable cause for the requested warrant and does not purport to set forth all my knowledge of or investigation into this matter. Unless specifically indicated otherwise, all conversations and statements described in this affidavit are related in substance and in part only.

BACKGROUND

5. Experience and drug trafficking intelligence information gathered by the USPIS have demonstrated that the U. S. Postal Service (“USPS”) Priority Mail Express and Priority Mail are frequently utilized by drug traffickers for shipping controlled substances or the proceeds of controlled substance sales or moneys furnished or intended to be furnished in exchange for controlled substances. Use of Priority Mail Express and Priority Mail are favored because of the speed (Express Mail - overnight; Priority mail - two-day delivery), reliability, free telephone, and Internet package tracking services, as well as the perceived minimal chance of detection. Priority Mail Express was originally intended for urgent, business to business, correspondence. Intelligence from prior packages, which were found to contain controlled substances, or the proceeds of controlled substance sales or moneys furnished or intended to be furnished in exchange for controlled substances, has indicated that these parcels are usually addressed from an individual to an individual. Priority Mail Express is seldom used for individual-to-individual correspondence.

6. To combat the flow of controlled substances through the overnight delivery services, interdiction programs have been established in cities throughout the United States by the USPIS. These cities have been identified as known ‘sources’ of controlled substances. The USPIS

conducts an ongoing analysis of prior packages mailed through overnight delivery services, which were found to contain controlled substances or proceeds/payments of controlled substance sales. The analysis of prior packages, which were found to contain controlled substances, or the proceeds of controlled substance sales or moneys furnished or intended to be furnished in exchange for controlled substances, indicated that these parcels are usually sent from an individual to an individual. In the few cases when overnight delivery packages containing controlled substances, or the proceeds of controlled substance sales or moneys furnished or intended to be furnished in exchange for controlled substances, have displayed a business or company name, it has usually proven to be fictitious or used without the owner's knowledge and consent. Additionally, this analysis has established a series of characteristics which, when found in combination of two (2) or more, have shown a high probability that the package will contain a controlled substance, or the proceeds of controlled substance sales or moneys furnished or intended to be furnished in exchange for controlled substances. Information collected by the USPIS has demonstrated that the presence of these characteristics is significant for delivery services, to include USPS Priority Express Mail, Federal Express, and United Parcel Service. This profile includes, but is not limited to, the following characteristics: package mailed from or addressed to a narcotic source city; package has a fictitious return address; package addressee name is unknown at the destination address; package sender name is unknown at the return address; package has address information which is handwritten; package is mailed to or from a Commercial Mail Receiving Agency (CMRA); package is addressed from an individual to an individual; phone numbers listed on the package are not related to the listed parties or are not in service; packages are wrapped and/or heavily taped; frequency of the mailings is inconsistent with normal use absent a business relationship; and the ZIP Code from where the package is mailed is different than the ZIP Code used in the return address.

7. The USPIS analysis of prior narcotics packages mailed through overnight delivery services has consistently shown that the identification of source cities has proven to be one of several reliable characteristics used in identifying suspect parcels. This analysis has also demonstrated that narcotics parcels originating from states other than source locations have been consistently found to contain designer drugs, such as Ecstasy, GBL, GHB, Anabolic Steroids, and other similar controlled substances. Generally, such designer drugs are not organic and are the product of a laboratory process.

STATUTES VIOLATED

8. It is affiant's belief that based upon information discovered, violations of the following statutes are being investigated; Title 21 USC Sec. 841(a)(1) (Distribution/Manufacturing/Possession with intent to Distribute), and Title 21 USC Sec. 846 (Conspiracy and Attempt).

TARGET PACKAGE

9. This affidavit is made in support of an application for a federal search warrant to search USPS Priority Mail Express Parcel: EJ 756 312 459 US (Subject Parcel), described more particularly as follows:

Subject Parcel: USPS Priority Mail Express Parcel: EJ 756 312 459
US

Sender: gourmetgiftBaskets.com
6250 West Park Dr. Unit 139
Houston, TX 77057

Addressee: Brad Jones
1019 South Bruce Ave
Springfield MO, 65804

Postmarked:	September 11, 2023
Postmark Origin:	Houston, TX 77057
Postage Amount:	\$49.60
Weight:	3.0 lb. 0.90 oz.

PROBABLE CAUSE

10. On or about September 12, 2023, the Subject Parcel was observed at the North Houston Processing and Distribution Center (“N HOU P&DC”), within the Southern District of Texas. A review of the Subject Parcel noted that they bore several characteristics indicative of a parcel which likely contained a controlled substance or moneys furnished or intended to be furnished towards the purchase of controlled substances. The Subject Parcel had the following characteristics: It was mailed utilizing Priority Mail Express service from a known source/destination state (TX) to a known destination state (MO); has address information that is handwritten; and is mailed without a business account.

11. On or about September 13, 2023, Affiant conducted an open records query of the sender information listed on the Subject Parcel which revealed the listed sender address on the Subject Parcel: “6250 West Park Dr. Unit 139, Houston, TX 77057” is a valid address. However, the listed sender business “gourmetfigtBaskets.com” does not associate to the address. Affiant knows based upon his training and experience that narcotics traffickers often use fictitious business names with addresses to conceal their true identities from law enforcement.

12. On or about September 13, 2023, Affiant conducted an open records query of the recipient information listed on Subject Parcel which revealed the listed address on the Subject Parcel: “1019 South Bruce Ave, Springfield, MO 65804” is a valid delivery address. However, the listed recipient “Brad Jones” does not associate to the address. Affiant knows based upon his

training and experience that narcotics traffickers often use fictitious addresses to conceal their true identities from law enforcement.

13. On or about September 13, 2023, Affiant obtained the assistance of Officer R. Calderon, a Canine Officer (“K9”) with the Houston Police Department and certified handler of K9 Bingo. Officer R. Calderon and Bingo are certified as a team in the detection of controlled substances. Officer R. Calderon and Bingo received their certification through the National Narcotic Detector Dog Association (“NNDDA”). Bingo has numerous hours of training in the detection of controlled substances such as Marijuana, Cocaine, Methamphetamine, MDMA and Heroin. Bingo has successfully alerted on concealed controlled substances in numerous prior cases, which has led to the arrest of numerous suspects for drug law violations. Bingo was last certified in May 2023.

14. Upon Officer R. Calderon’s arrival, Bingo was allowed to examine the Subject Parcel along with three (3) “dummy” boxes (boxes containing no suspected controlled substances, in fact empty boxes) on the floor in different locations known not to be contaminated with the odor of controlled substances. Bingo conducted an exterior examination of the Subject Parcel and “dummy” boxes. Officer R. Calderon advised that Bingo indicated a positive alert to the above scents of controlled substances coming from within the Subject Parcel.

CONCLUSION

15. Based on the facts set forth above, there is probable cause to believe the Subject Parcel contains one or more controlled substances, drug paraphernalia, proceeds of controlled substance sales or moneys furnished or intended to be furnished in exchange for controlled substances, and material relating to the distribution of same. In the past, all the above factors have been indicative of packages which contained illegal controlled substances, or the proceeds of

controlled substance sales or moneys furnished or intended to be furnished in exchange for controlled substances.

16. The Subject Parcel is currently in the custody of your Affiant. Affiant, therefore, seeks the issuance of a search warrant for the search of the Subject Parcel for any such controlled substance, proceeds/funds for controlled substances or evidence, fruits of crime, and instrumentalities, in violation of Title 21, United States Code, Sections 841(a)(1), and 846.



Jonathan Ramirez
U.S. Postal Inspector

Subscribed and sworn to me by telephone at Houston, Texas, on this 13th day of September 2023 and I find probable cause.



Peter Bray
HON. PETER BRAY
UNITED STATES MAGISTRATE JUDGE

ATTACHMENT A

Property to be seized.

All evidence, including but not limited to physical items, records and data relating to violations of Federal Narcotics Laws, including It is affiant's belief that based upon the investigation, the following statutes may have been violated; Title 21 USC Sec. 841(a)(1) (Distribution/Manufacturing/Possession with intent to Distribute), and Title 21 USC Sec. 846 (Conspiracy and Attempt), those violations involving unknown subjects including:

- a. All controlled substances, the possession of which are in violation of Title 21 USC Sec. 841(a)(1), and other federal narcotics and controlled substances laws;
- b. Records and information relating to the identity or location of the suspects;
- c. Identifying information, including but not limited to fingerprints, DNA, or other identifying material;
- d. Cash money, united states currency, foreign currency, checks, or any other form of value payment;